

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE)(WALES) ORDER 2012**

APPROVAL OF FULL PLANNING PERMISSION

Name and address of the applicant

Mr Oliver Dineen
Domolly Ltd
9-11 James Court
Viking Way
Swansea
SA1 7DA

Name and address of the agent

Peter Jones
Talbot Design Services
116 Tyn Y Twr
Baglan
Port Talbot
SA128YD

DATE REGISTERED: 22 August 2019

APPLICATION NO: P2019/5235

LOCATION: 30 High Street, Neath, SA11 3GA

PROPOSAL: Change of use of ground floor to 1 no. retail unit and 1 no. office unit, provision of 4 no. flats over first and second floors and demolition of outbuildings

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority in pursuance of its power under the above mentioned Act and Order hereby **GRANTS PLANNING PERMISSION** for the development as described above to be carried out in accordance with the application and the plans submitted therewith, subject to compliance with the following conditions:

Conditions:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:

- 30HS - 01 Rev A - existing elevations
- 30HS - 03 Rev A - existing floor plans
- 30HS - 05 Rev A - existing and proposed ground floor plans with rear yard
- 30HS - 04 Rev A - proposed floor plans
- Block/site plan (with notes)- dated 11/03/2019
- Site Location Plan - dated 11/03/2019
- 30HS - 02 Rev A - proposed elevations
- Block/ site plan - dated 11/03/2019

Reason:

In the interests of clarity.

Action Conditions

- 3 Notwithstanding the details submitted, prior to the first beneficial use of the first and second floor flats hereby approved, the windows on the rear north-west facing elevation serving the landing, kitchens, bathroom and study / bedroom shall be fitted with obscured glazing up to a height of 1.7m measured from above the floor of the room, and any part of the window/s that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained as such thereafter.

Reason :

In the interest of the amenities of the adjacent properties, and to ensure accordance with Policy BE 1 of the adopted Neath Port Talbot Local Development Plan.

- 4 Notwithstanding the details shown on the approved plans, no occupation of the flats and retail and office units hereby permitted shall take place until detailed drawings of the bin and bicycle store, including details of their location, to serve the approved development have been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved.

Reason

In the interests of highway and pedestrian safety, residential amenity and sustainability

Regulatory Conditions

- 5 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

- 6 This consent allows the retail and office use hereby approved to be open to customers Monday to Saturday 08:00 to 18:00 and 10:00 to 16:00 on Sundays.

Reason

In the interest of the amenities of residents living in the vicinity of the application site.

- 7 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason:

In the interest of the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 8 The use of the ground floor of the premises shall be used for retail and office use only in accordance with drawing number 30HS - 04 Rev A and for no other purpose including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

In the interest of the amenities of residents living in the vicinity of the application site and in order to ensure active frontages to High Street and Old Market Street

Informatives:

1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

2 Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales must be contacted. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately. Where bats or their roosts are present, no works of site clearance, demolition or construction shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. NRW can be contacted at: -Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000 Bat Conservation Trust can be contacted at: -5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0345 1300228

3 **Welsh Water Advisory Notes** The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and

Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact the undersigned (Rhodri Perry) on 0800 917 2652 or via email at developer.services@dwrcymru.com

4 Welsh Water advisory note From reviewing the submission package we note the applicant is proposing to discharge surface water to the public sewerage system. Prior to us considering a surface water discharge to the public sewer we would require evidence that all sustainable drainage systems (SuDS) had been exhausted. Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.- please also see relevant condition related to this matter

Reason for granting planning commission

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposed development would not have a detrimental impact upon local character or community cohesion, on residential amenity or upon the character and appearance of the surrounding area, and there would be no adverse impact upon highway and pedestrian safety. Hence, the proposed development would be in accordance with Policies SC1, TR2, BE1, SP21 and I1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Signed:



Nicola Pearce – Head of Planning & Public Protection

Date: 16 October 2019